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Attorney Docket No. 0320-0018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
Michael D. Hooven, et al.	CERTIFICATE OF MAILING BY "EXPRESS MAIL" "Express Mail" Mailing Label No.:EV321714650US Date of DepositApril 5, 2004
Serial No.: 10/015,862	I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Box
Filed: December 12, 2001	Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
Group Art No.: 3739	NAME May I. Casimiro
Examiner: Rosiland S. Kearney	SIGNATURE May 1. LISSIM
For: TRANSMURAL ABLATION DEVICE WITH SPRING LOADED JAWS)
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Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Certificate of Mailing Under 37 CFR 1.10

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- Transmittal Form PTO/SB/21 (1 sheet);
- 2. Fifth Supplemental IDS (3 sheets);
- PTO/SB/08A (7 sheets); 3.
- 1 U.S. Patent;
- 5.

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7. Return-Receipt Postcard.

Signature: My Comin

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TRANSMITTAL FORM (to be used for all correspondence after initial filing) Total Number of Pages in This Submission Total Number of Pages in This Submission * Atturnit Examiner Name Rosiland S. Kearney Atturnit Atturnit Fee Attansmittal Form Fee Attached Anendment/Reply Anendment/Reply Anter Final After Allowance communication to Tochnology Center (TC) Appeal Communication to Tochnology Center (TC) Appeal Communication to TC Appeal Action After Final Power of Attorney, Revocation Change of Correspondence Address Express Abandonment Request Express Abandonment Request Express Abandonment Request Information Disclosure Statement Carrifical Copy of Priority Document(s) Con Number of CD(s) Remarks Other Enclosures: -1 U.S. Patent; -5180.00 IDS fee, Check No707/SB/08A; -Certificate of Mailing; and -Return-Receipt Postcard SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Or Individual name Gary W. McFarron, Esq. Signature Signature Certificate for Transmission/Mailing Inereby cortify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as 80x60x6x6 mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Express Typed or printed name May I. Casimiro	Under the Paperwork Reduction Act of 1995. r	no persons	are required to respond to a collection	t and Trademark Office on of information unle	ce: U.S. D	EPARTMENT OF COMMERCE
FORM First Named Inventor Michael D. Hooven			_	10/015,862		
Art Unit 3739 Examiner Name Rosiland S. Kearney Total Number of Pages in This Submission ENCLOSURES (Check all that apply) Fee Transmittal Form Orawing(s) After Allowance communication to Technology Center (TC) Appeal Communication to Board of Appeals and Interences Appeal Communication to Total Appeal After Final Petition to Convert to a Provisional Application of Time Request Extension of Time Request Express Abandonment Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts Information Disclosure Statement Certified Copy of Priority Other Enclosures: - 1 U.S. Patent; - 2 U.S. Patent; - 3 180.00 IDS fee, Check No.		ļ		December 12,	2001	
Examiner Name Rosiland S. Kearney Total Number of Pages in This Submission * Attorney Docket Number 0320-0018 Fee Transmittal Form	FORM		_	Michael D. Ho	oven	
Attorney Docket Number O320-0018	(to be used for all correspondence after initial fill	ing)	Art Unit	3739		
Status Letter Proprietary Information				Rosiland S. Ke	earney	
Fee Transmital Form Fee Atlached		-	Attorney Docket Number	0320-0018		
Fee Transmittal Form Fee Attached Licensing-related Papers Petition Amendment/Reply Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts Incomplete Application Response to Missing Parts Under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Signature Signature Date Appl 5 2004 May I. Casimiro Drawing(s) Licensing-related Papers Appeals and Interferences Appeal Communication to Doard of Appeals and Interferences Appeal Notice, Brief, Reply Brieft) Appeal Communication to TC (Appeal Sont Interferences Appeal Communication to TC (Appeal Sont Interferences Appeal Communication to TC (Appeal Communication to TC (Appeal Sont Interferences Appeal Communication to TC (Appeal Communication to TC (Appeal Sont Interferences Appeal Sont Interferences Appeal Communication to TC (Appeal Sont Interferences Appeal Sont Interferences Appeal Communication to TC (Appeal Sont Interferences Appeal Sont Interferences Appeal Communication to TC (Appeal Sont Interferences Appeal Sont Interferences Appeal Communication to TC (Appeal Sont Interferences Appeal		ENCL	OSURES (Check all that	apply)		
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Amendment/Reply After Final After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts Incomplete Application Response to Missing Parts U.S. Patent; - \$180.00 IDS fee, Check No. - PTO/SB/08A; - Certificate of Mailing; and - Return-Receipt Postcard SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm or Individual name Signature Date April 5, 2004 CERTIFICATE OF TRANSMISSION/MAILING Typed or printed name May I. Casimiro May I. Casimiro May I. Casimiro Petition to Convert to a Provisional Application Proprietary Information Proprietary	Fee Attached		icensing-related Papers	└── J of	Appeals	and interferences
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Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Other Enclosures: - 1 U.S. Patent; - \$18.00 IDS fee, Check No PTO/SB/08A; - Certificate of Mailing; and - Return-Receipt Postcard SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm or Individual name Gary W. McFarron, Esq. Signature Appl 5,2004 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence abdressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Express Typed or printed name May I. Casimiro	After Final	L P	rovisional Application	Pr	oprietary	Information
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Signature Date April 5, 2004)				
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This collection of information is required by 57 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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Group Art No.: 3739)	the United Addressed above and
Examiner: Rosiland S.) Kearney)	1450, Alex
)	Name:
For: TRANSMURAL ABLATION) DEVICE WITH SPRING)	Signature

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Name: May I. Casimiro .				
Signature: Nay 9. Cesumo				

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.97, Applicant hereby calls the Examiner's attention to the document (U.S. Patent No. 6,126,658) listed on the attached form, which document may be material to the examination of this application. A copy of this document is enclosed herewith for the Examiner's consideration.

Applicant also calls the Examiner's attention to documents listed on pages 2-3, 4, and 9-11 of the attached PTO/SB/08A form. These pages were previously submitted with an Information Disclosure Statements mailed May 17, 2002, and September 10, 2003. However, the Examiner's Office Actions, mailed December 14, 2002, and October 13, 2003, did not include copies of these

pages with the Examiner's initials indicating that these pages have been considered. Therefore, applicants are resubmitting these pages for the Examiner's attention. A copy of each of these documents was provided either in U.S. Patent Application Serial No. 10/032,378, filed October 26, 2001, or in U.S. Patent Application Serial No. 09/747,609, filed December 22, 2000, now issued patent 6,546,935, which are relied upon for an earlier effective filing date. Accordingly, copies are not enclosed, but such copies can be provided to the Examiner upon request to the undersigned attorney.

No inference should be drawn that any apparatus or method disclosed is equivalent to the subject invention. Also, the citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the

disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

This information disclosure statement is being filed after the first office action but before the mailing date of any final action, a notice of allowance, or an action that otherwise closes prosecution in the application and it is accompanied by a check in the amount of \$180.00.

Respectfully submitted,

1 12/0

Date:	April 5, 2004	By: Lan Willetara

Gary W. McFarron, Esq.
Registration No. 27,357
Cook, Alex, McFarron, Manzo,
Cummings & Mehler, Ltd.
200 West Adams St., Ste. 2850
Chicago, IL 60606

Telephone: (312) 236-8500

Attorneys for Applicant

PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known				
Application Number	10/015,862	_		
Filing Date	December 12, 2001			
First Named Inventor Michael D. Hooven				
Art Unit	3739			
Examiner Name	Rosiland S. Kearney			
Attorney Docket Number	0320-0018	_		

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Examiner Initials*	Cite No.1	Foreign Patent Document		Date	Applicant of Cited Document	Where Relevant Passages	
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FOREIGN PATENT DOCUMENTS							
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known

Application Number 10/015,862

Filling Date December 12, 2001

First Named Inventor Michael D. Hooven

Art Unit 3739

Examiner Name Rosiland S. Kearney

Attorney Docket Number 0320-0018 (HOOV 118)

			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
		Number-Kind Code ^{2 (F known)}			Figures Appear
	21	^{US-} 2002/0107513 A1	08-08-2002	Hooven, Michael D.	
	22	^{US-} 2002/0103484 A1	08-01-2002	Hooven, Michael D.	
	23	US- 2002/0091384 A1	07-11-2002	Hooven, Michael D.	
	24	^{US-} 2002/0091383 A1	07-11-2002	Hooven, Michael D.	
	25	^{US-} 2002/0091382 A1	07-11-2002	Hooven, Michael D.	
	26	^{US-} 2002/0032440 A1	03-14-2002	Hooven, Michael D.	
	27	^{US-} 2001/0031961 A1	10-18-2001	Hooven, Michael D.	
	28	^{US-} 6,488,680	12-03-2002	Francischelli et al.	
	29	^{US-} 6,267,761	07-31-2001	Ryan	
	30	^{US-} 6,273,887	08-14-2001	Yamauchi et al.	
	31	^{US-} 6,296,640	10-02-2001	Wampler et al.	
	32	^{US-} 6,391,024	05-21-2002	Sun et al.	
	33	^{US-} 2001/0039419 A1	11-08-2001	Francischelli et al.	
	34	us- 6,277,117	08-21-2001	Tetzlaff et al.	
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	35	WO 01/82812 A1	11-08-2001	Medtronic, Inc.			
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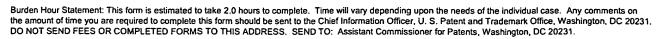
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Substitute for form 1449B/PTO	Complete if Known			
	Application Number	10/015,862		
INFORMATION DISCLOSURE	Filing Date	December 12, 2001		
STATEMENT BY APPLICANT	First Named Inventor	Michael D. Hooven		
FORMATION DISCLOSURE FIling Date First Named Inventor Group Art Unit 10/015,862 Filing Date December 12, 200 First Named Inventor Group Art Unit 3739	3739			
(use as many sheets as necessary)	Examiner Name	Rosiland S. Kearney		

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	_
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T2
	38	BERJANO, ENRIQUE J. et al. "Bipolar Electrosurgery With Long Electrodes for RF Coagulation of Atrial Tissue" Proceedings 19th International Conference - IEEE/EMBS Oct. 30 - Nov. 2, 1997 Chicago, II. USA. pages 2528 - 2530	
			
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¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.



Considered



LIST OF PUBLICATIONS CITED BY APPLICANT

Attorney Docket No. HOOV 118	<u>Serial No.</u> 10/015,862
Applicant Michael D. HOOVEN, et al.	
<u>Filing Date</u> December 12, 2001	<u>Group</u> 3762

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
]1		DATE 10/08/96 10/15/96 12/10/96 12/24/96 01/21/97 02/04/97 03/18/97 04/15/97 07/01/97 08/05/97 09/30/97 10/07/97 11/04/97 11/18/97	Marchlinski et al Swartz et al Swanson et al Otake et al Swanson et al Schulze et al Lichtman Lichtman Avitall Jusa et al Gough et al Fox et al Branham et al	CLASS 607 128 606 345 128 606 606 128 370 606 606 606 128	B .	1
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WO 97/32525 WO 99/44519 WO 99/59486 WO 00/21449	09/12/97 09/10/99 11/25/99 04/20/00	Cardiac Pathways Corp. Atrionix, Inc. New England Medical Ctr. Levin, J.M.			11/04/96 03/02/99 05/20/99 10/09/98

OTHER PUBLICATIONS

(Including Author, Title, Date, Pertinent Pages)

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Trainer:	T OF PUBLICATION TED BY APPLICAN		Applicant Michael D. HOOVEN	, et al.	et al.			
			Filing Date December 12, 200)1	<u>Grou</u> 3762	_		
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OTHER PUBLICATIONS (Including Author, Title, Date, Pertinent Pages)								
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Sheet 10 of 12

С	Complete if Known							
Application Number	10/015,862							
Filing Date	December 12, 2001							
First Named Inventor	Michael D. Hooven, et al.							
Group Art Unit	3762							
Examiner Name								
Attomey Docket Number	HOOV 118							

				U.S. PATENT DOC	JMENTS	
Examiner	Cite	U.S. Patent	Document Kind Code ²	Name of Patentee or Applicant	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant
Initials'	No.1	Number	(if known)	of Cited Document	MM-DD-YYYY	Passages or Relevant Figures Appear
	1	1,127,948		R. H. Wappler	02/09/1915	
	2	5,009,661		Michelson	04/23/1991	
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Examiner	Cite		Foreign Patent Do	cument	Name of Patentee or	Date of Publication of	Pages, Columns, Lines,	
Initials	No.1	Office	3 Number ⁴	Kind Code ⁵ (if known)	Applicant of Cited Document	Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear	T6
	19	EP	0 450 608	A1	Richard Wolf GmbH	10/09/1991		
	20	PCT	WO 93/25267	A1	Mir A. Imran	12/23/1993		
	21	PCT	WO 97/10764	A1	Valleylab, Inc.	03/27/1997	1_1.0	
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	23	DE	43 13 903	C1	Olympus Winter & Ibe GmbH	09/15/1994		
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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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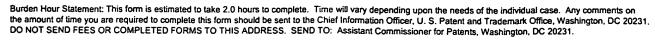
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Complete if Known Substitute for form 1449B/PTO **Application Number** 10/015.862 INFORMATION DISCLOSURE Filing Date December 12, 2001 STATEMENT BY APPLICANT **First Named Inventor** Michael D. Hooven, et al. Group Art Unit 3762 (use as many sheets as necessary) **Examiner Name** Attorney Docket Number of Sheet HOOV 118 11 12

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.1			
	24	YOSHIO KOSAKAI, M.D., ET AL., "Cox Maze Procedure for Chronic Atrial Fibrillation Associated with Mitral Valve Disease," THE JOURNAL OF THORACIC AND CARDIOVASCULAR SURGERY, 1994; Vol. 108, No. 6, pp. 1049-1055.		
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Signature	Considered

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